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WHITE PLAINS, NY  
NEWARK, NJ  
ROCHESTER, NY  
STAMFORD, CT

April 28, 2017

**Via ECF**

Hon. A. Kathleen Tomlinson  
U.S. Magistrate Judge  
Eastern District of New York  
Long Island Federal Courthouse  
100 Federal Plaza  
P.O. Box 9014  
Central Islip, NY 11722-9014

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D. N.Y.  
★ MAY 01 2017 ★  
LONG ISLAND OFFICE

Re: **DOMNITZ, SANDRA v. MANHASSET-LAKEVILLE FIRE DISTRICT**  
Civil Action No.: 16-cv-05844

Dear Magistrate Judge Tomlinson:

We are counsel to Defendants Manhasset-Lakeville Fire District and Manhasset-Lakeville Fire Department ("Defendants"). Together, with Plaintiff and pursuant to Your Honor's February 16, 2017 Order, we are writing to notify the Court that the parties have reached an agreement addressing the discovery of electronically stored information ("ESI") as set forth herein.

**I. Defendant's E-Mail.**

A. To search for e-mails responsive to Plaintiff's document requests, the parties agree Defendants will search the e-mail accounts, which end in "mlfd-ems.com" utilized by the following individuals:

- Mitch Levine
- Joel Rosenthal
- Lee Genser

B. for the period of January 1, 2012 through present.

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C. The parties have further agreed that Defendants shall use the following culling methodology prior to review:

1. All duplicates will be removed.
2. The following search terms will be applied, generally:
  - Fiscal Line Officer; or
  - Line Officer;
  - Candidate; or
  - Election; or
  - Voting; or
  - Ballot; or
  - Absentee; or
  - Workplace Discrimination; or
  - Discrim; or
  - Sexual Harassment; or
  - Harass; or
  - Vigilant; or
  - Religion; or
  - OSHA guidelines; or
  - Head of Engineering; or
  - Gender; or
  - "Clean up" duty; or
  - Kosher Food; or
  - Dress code; or
  - Shorts; or
  - Skirts; or
  - Sandals; or
  - 2<sup>nd</sup> Lieutenant Line Officer; or
  - Board of Governors; or
  - Nominating Committee; or
  - Felony; or
  - Criminal Fraud; or
  - North Shore; or
  - Long Island Jewish; or
  - NSLIJ; or
  - Northwell Health; or
  - Manhasset Quality Inspection/ Quality Assurance; or
  - 2<sup>nd</sup> Lieutenant Robert Stern; or
  - "female uniforms;"

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- Shunning; or
- Shunning Campaign; or
- Campaign Video; or
- Higher Medical Care EMT CC.

3. The following search terms shall be used to search the email body, excluding "to, from, cc, and bcc fields":

- Sandra; or
- Domnitz; or
- Joseph; or
- Calabrese; or
- Jose Hernandez; or
- Mitch; or
- Levine; or
- Joel; or
- Rosenthal; or
- Lee; or
- Genser; or
- Joseph; or
- Oginski; or
- Joshua; or
- Frost; or
- Chris; or
- Smilios; or
- Joe; or
- Toole; or
- Dr. Sanford Ratner; or
- Ratner; or
- Gena; or
- Yee; or
- Steven; or
- Blocker; or
- Neil; or
- Hicks; or
- Amandeep; or
- Garha; or
- Michael; or
- Spigner; or
- Timothy; or
- Forsberg; or
- Robert; or

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- Stern; or
- 2<sup>nd</sup> Lieutenant Robert Stern; or
- Winston; or
- Na; or
- Chris; or
- D'Aversa; or
- Joe; or
- Guarini; or
- Stephanie; or
- Hong; or

D. Defendant will produce any responsive ESI to Plaintiff's counsel in PDF format on a CD but will make metadata available to Plaintiff for particular emails as requested.

## **II. Plaintiff's E-Mail and Social Networking Messaging Production.**

To search for e-mails and social networking postings and messaging responsive to Defendants' document requests, the parties agree that Plaintiff will search for e-mails on e-mail accounts utilized by the Plaintiff during or since her membership at MLFD including, but not limited to: SBDomnitz@aol.com and Sandradomnitz@vigilantfd.com, as well as postings and messaging on her Facebook, Instagram, and Twitter Accounts, during the time period 2012-present. Plaintiff's counsel has represented that she only has social media profiles on Facebook, Twitter, Instagram and LinkedIn Accounts. These accounts may contain photographs and/or videos that are relevant to Plaintiff's claims for compensatory damages and may also contain other information related to Plaintiff's claims. As such, Plaintiff shall copy and produce her social media profiles, including all photos and videos, posted from 2012 to the present, which have any relevance to Plaintiff's claims against Defendants (*see Giacchetto v. Patchogue-Medford Union Free School District*, No. 11-6323, 2013WL 2897054 (E.D.N.Y May 6, 2013)).:

- Resume; or
- Apply; or
- Application; or
- Job; or
- Work; or
- North Shore; or
- Long Island Jewish; or
- NSLIJ; or
- Vigilant; or
- Forst; or
- Quality /3 assurance; or

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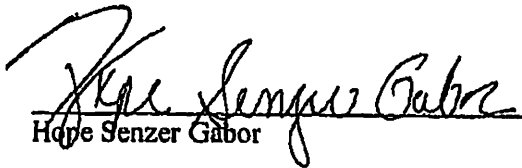
- Ratner; or
- MLFD or M-LFD; or
- Manhasset /2 Lakeville; or
- Lee; or
- Joel; or
- Mitch; or
- Levine; or
- Rosenthal; or
- Genser; or
- I /2 happy; or
- I/2 feel; or
- Lawsuit; or,
- Discrimination; or,
- Discriminate; or,
- Discriminate or Discriminated; or,
- Retaliate or retaliated; or
- Retaliation; or
- Gender; or,
- Religion.


Plaintiff will produce any responsive ESI to Defendants' counsel in PDF or TIFF format on a CD but will make metadata available to Defendants for particular emails as requested.

Very truly yours,

JONATHAN A. TAND & ASSOCIATES

MARTIN CLEARWATER & BELL LLP

  
Hope Senzer Gabor

  
Adam G. Guttell

**SO ORDERED**

/s/ A. Kathleen Tomlinson

**A. Kathleen Tomlinson**  
**United States Magistrate Judge**

Date: May 1 20 17  
**Central Islip, N.Y.**